



PATENT

#4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PATENT APPLICATION OF:

WARD *et al.*

Examiner: Unassigned

Application No.: 09/985,948

Group Art Unit: Unassigned

Filing Date: November 6, 2001

Title: CONFECTIONARY PRODUCT AND PROCESS FOR MAKING SAME

**POWER OF ATTORNEY BY ASSIGNEE UNDER 37 C.F.R. § 3.71
and CERTIFICATION UNDER § 3.73**

Commissioner of Patents
Washington, D.C. 20231

Sir:

The undersigned ASSIGNEE having the entire right, title and interest in the above-identified application for letters patent hereby appoints:

David J. Kulik, Registration No. 36,576; Floyd B. Chapman, Registration No. 40,555; Gregory R. Lyons, Registration No. 37,666; James H. Wallace, Jr., Registration No. 25,541; Scott Bain, Registration No. 46,357; James T. Bruce, III, Registration No. 31,491; Christopher Mills, Registration No. 46,934; Mark Pacella, 46,974; Christopher Hale, Registration No. 48,940; David Walker, Registration No. 43,976; and Kevin Anderson, Registration No. 43,471 of the firm

Wiley Rein & Fielding LLP, 1776 K Street NW, Washington, DC, 20006, associated with **Customer Number 29693**,



29693

PATENT & TRADEMARK OFFICE

to prosecute this application, and any continuations or divisionals, reissues and reexaminations thereof, and all foreign and international applications corresponding thereto, and to transact all business in the United States Patent and Trademark Office in connection therewith and hereby

WILEY REIN & FIELDING LLP
Intellectual Property Department
1776 K Street NW
Washington, DC 20006

revokes all prior powers of attorney; said appointment to be the exclusion of the inventors and the inventors' attorneys.

Direct all telephone calls to David J. Kulik, Esq. at 202-719-7000

Address all correspondence to:

WILEY REIN & FIELDING LLP
Intellectual Property Department
1776 K Street NW
Washington, DC 20006

CERTIFICATE UNDER 37 C.F.R. § 3.73(b)

The following evidentiary documents establish a chain of title from the original owner(s) or inventor(s) to the ASSIGNEE as required under 37 C.F.R. § 3.73(b):

 X a copy of an Assignment is attached hereto, which Assignment(s) has been (or is herewith) forwarded to the Patent and Trademark Office for recording; or

 the Assignment has been recorded on at reel , frame(s) .

Pursuant to 37 C.F.R. § 3.73(b), the undersigned ASSIGNEE hereby states that the evidentiary documents have been reviewed and hereby certifies that, to the best of ASSIGNEE's knowledge and belief, title is in the identified ASSIGNEE.

ASSIGNEE: Hershey Foods Corporation

Name:


(SIGNATURE)

Name:

Burton H. Snyder
(TYPED)

Title:

Senior Vice President, General Counsel
and Secretary

Date:

January 14, 2002

WRFMAIN 1078945.1

WILEY REIN & FIELDING LLP
Intellectual Property Department
1776 K Street NW
Washington, DC 20006

ASSIGNMENT

✓ WHEREAS, WE, Philip C. WARD residing at 20 Clover Lane, Palmyra, PA 17078; Julie A. EMSING residing at 124 West Main Street, Hershey, PA 17078; Beth A. RITCHEY residing at 236 St. Leonard Lane, Cranberry Township, PA 16066, and Jorge O. BOUZAS residing at 14 Rye Lane, Palmyra, PA 17078, have invented a new and useful invention and improvements to the subject matter of:

CONFECTIONERY PRODUCTS, LOW FAT CHOCOLATE AND CHOCOLATE-LIKE PRODUCTS AND METHODS FOR MAKING THEM

described in an application for United States Letters Patent filed on November 6, 2001, and accorded Application No. **09/985,948**

AND, WHEREAS, Hershey Foods Corporation, a corporation organized under the laws of the State of Pennsylvania, having a place of business located at 100 Crystal A Drive, Hershey, Pennsylvania, 17033 (hereinafter "ASSIGNEE"), is desirous of acquiring certain rights to said invention and under the applications;

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) or the equivalent thereof, and other good and valuable consideration, receipt of which is hereby acknowledged, we do hereby sell, assign and transfer unto said ASSIGNEE, its successors, assigns and legal representatives, our entire right, title and interest in and throughout the United States of America (including its territories and dependencies) and all countries foreign thereto in and to said improvements, said United States application, any other United States applications, including provisional, divisional, renewal, substitute, continuation, reexamination and reissue applications, based in whole or in part on said United States application or in whole or in part on said improvements, any foreign applications, including international and regional applications, based in whole or in part on any of the aforesaid United States applications or in whole or in part on said improvements, and in and to any and all letters patent, including extensions thereof, of any country which have been or may be granted on any of the aforesaid applications or on said improvements or any parts thereof;

AND WE hereby authorize and request our agents, Wiley Rein & Fielding LLP, whose address is 1776 K Street, N.W., Washington, D.C., 20006, to insert hereon any identification necessary or desirable for recordation of this document, including the filing date and application number of said application when known;

AND WE hereby agree for ourselves and our heirs, executors and administrators to execute without further consideration any further documents and instruments which may be necessary, lawful and proper in the prosecution of said above-referenced applications or in the preparation or prosecution of any continuing, substitute, divisional, renewal, reexamination or reissue application or in any amendments, extensions or interference proceedings, that may be necessary to secure to ASSIGNEE its interest and title in and to said invention or any parts thereof, and in and to said several patents or any of them;

AND WE hereby covenant for ourselves and our legal representatives, and agree with said ASSIGNEE, its successors and assigns, that we have granted no right or license to make, use, sell or offer to sell said invention, to anyone except said ASSIGNEE, that prior to the execution of this deed, our right, title and interest in said invention has not been otherwise encumbered, and that we have not and will not execute any instrument in conflict therewith;

AND WE do hereby authorize and request the United States Commissioner for Patents to issue any and all letters patent which may be granted upon said United States applications, or upon said invention or any parts thereof when granted, to said ASSIGNEE.

IN WITNESS WHEREOF, we have hereunto set our hands and seals.

Date

January 14, 2002

Date

Philip C. WARD



Julie A. EMSING

Date

Beth A. RITCHEY

Date

Jorge O. BOUZAS

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1776 K STREET, N.W.
WASHINGTON, D.C. 20006
202.719.7000 (TELEPHONE) 202.719.7049 (FACSIMILE)

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January 15, 2002
Date

Philip C. Ward
Philip C. WARD

Date

Julie A. EMSING

Date

Beth A. RITCHEY

Date

Jorge O. BOUZAS

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Date

Philip C. WARD

Date

Julie A. EMSING

Date

1/14/02

Beth A. RITCHEY

Beth A. Ritchey

Date

Jorge O. BOUZAS

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Date

Philip C. WARD

Date

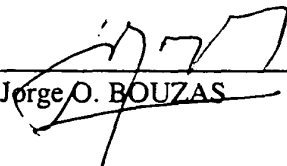
Julie A. EMSING

Date

Beth A. RITCHEY

January 14, 2002

Date



Jorge O. BOUZAS

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